

Paul F. Hancock

Senior Of Counsel

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OVERVIEW

Paul Hancock is recognized for his knowledge on civil rights matters, such as those arising under the federal Fair Housing Act, Equal Credit Opportunity Act, Americans with Disabilities Act, Voting Rights Act and related state consumer protection laws prohibiting deceptive, unfair and abusive practices. Paul's experience in fair lending dates back to his service in the US Department of Justice, where he led the Department's fair-housing and fair-lending enforcement program, and extends up through the present, with his significant representations of clients seeking to comply with fair and responsible lending requirements, engaging in federal and state regulatory examinations, and defending acts and policies in enforcement or legal actions. His practice in recent years has focused particularly on the financial services industry, and has included representation of the industry's largest and smaller members, as well as major trade associations, before all levels of the federal judiciary (including the Supreme Court) in complex litigation and before federal and state agencies.

Following over 20 years of service enforcing civil rights legislation at the Department of Justice, Paul served in the Florida Attorney General's Office and is remembered for arguing for the Florida Attorney General before the Florida Supreme Court and US Supreme Court in the presidential voting recount lawsuit in 2000 (*Bush v. Gore*). Building on that experience in private practice, he has broad experience coordinating with state officials in Florida and around the country on a variety of regulatory issues.

As both a former prosecutor and current defense lawyer, Paul's practice emphasizes the fair, even-handed and effective enforcement of civil rights laws, and in addition to his defense of industry clients, he has pursued this objective through pro bono representation of civil rights plaintiffs on diverse issues of national importance such as school desegregation, religious freedom for prison inmates, housing discrimination, public accommodations discrimination, and voting discrimination. Paul currently serves as co-president of the Civil Rights Division Association (CRDA), an organization composed of former employees (and also open to current employees) of the Department of Justice's Civil Rights Division.

PROFESSIONAL BACKGROUND

During his tenure in the Civil Rights Division of the U.S. Department of Justice (DOJ) Paul litigated virtually all types of civil rights issues. He represented the United States in school desegregation lawsuits involving public elementary, secondary and higher education; he then directed the Voting Rights Act litigation program; he then

headed the section responsible for enforcement of the Fair Housing Act and the Equal Credit Opportunity Act, where he developed and implemented the Department's fair lending enforcement program. His final position in the Department was as Acting Deputy Assistant Attorney General for Civil Rights (the highest career position in the Division) where he was responsible for supervising programs enforcing fair lending and fair housing laws, public accommodation and facilities laws, voting rights laws, and disability rights laws. After leaving DOJ, Paul served in state law enforcement in the Office of the Florida Attorney General. Paul was the Deputy Attorney General for South Florida. He managed the Attorney General's legal programs in the southern portion of the state (including multi-state consumer protection matters), and personally litigated cases of major significance statewide. He briefed and argued Gore v. Bush before the Florida Supreme Court and the U.S. Supreme Court urging the counting of ballots that had not been properly tabulated by the voting machines. He also defended the state in private class action and governmental pattern or practice litigation.

ACHIEVEMENTS

- Pro Bono Award, Indian River County, Florida Branch of the National Association for the Advancement of Colored People, *29th Annual Freedom Fund Banquet*, 2019
- Lifetime Achievement, Daily Business Review 2018
- Profiles in Law: “Attorney's Toledo Homecoming Repeatedly Delayed - by Major Events.” Daily Business Review, 20 March 2017
- Distinguished Alumni Award 2014, The University of Toledo College of Law
- Numerous Awards from Department of Justice including special award from Attorney General Janet Reno for implementation of the fair lending enforcement program.
- Recognitions from private advocacy groups for enforcement of civil rights laws, such as award from HOPE Fair Housing Center for “Working for Justice so that All People May Have Hope.”
- Recognized in *The Best Lawyers in America*® for work in Commercial Litigation and Banking and Finance Law, 2010-2023.
- *South Florida Legal Guide*, “Top Lawyers”- each year from 2016 through 2020.

PROFESSIONAL / CIVIC ACTIVITIES

Paul is the co-president of the Civil Rights Division Association (CRDA), an organization comprised of former employees of the DOJ Civil Rights Division that is also open to current employees. He serves on the Mortgage Bankers Association (MBA) Legal Issues Committee as well as the MBA's Litigation Task Force. He previously served on the Housing Impact Advisory Council at Fannie Mae and for many years was a member of the Fair Housing Legal Support Center - John Marshall Law School (Chicago). He is active in civic and charitable affairs in Hollywood and Broward County, FL.

Paul has engaged in pro bono legal services of national significance that has been focused on the advancement of civil rights including representation of a branch of the NAACP in a long-running school desegregation lawsuit,

representing the national NAACP in challenging the closing of restaurants during Black Bike Week in Myrtle Beach, representing a Florida inmate pursing a claim under the Religious Land Use and Institutionalized Persons Act (RLUIPA); and organizing an initiative of former officials of the DOJ Civil Rights Division who had responsibility for enforcing the Voting Rights Act to submit a brief to the en banc Court of Appeals for the Eleventh Circuit to support the restoration of voting rights to Florida felons who had completed their sentences. His pro bono work also has included local issues such as representing a victim of a mortgage foreclosure rescue scam, representing a homeless man whose social security benefits were terminated because of an aged outstanding warrant in a far-away state, and representing a low income person who faced police harassment and criminal charges for drinking beer on private property.

SPEAKING ENGAGEMENTS

Paul lectures frequently on housing and credit issues, as well as civil rights and consumer protection issues involving diverse businesses. Exemplary recent examples:

- Speaker at Mortgage Bankers Association Regulatory Compliance Conference discussing major litigation developments in the mortgage-lending industry, Washington, D.C., September 2021.
- Speaker addressing America Banker's Association Mortgage Markets Committee on developments in legal challenges to HUD Disparate Impact Rule, virtual, November 2020.
- Panel Moderator of CFPB, DOJ and HUD officials providing Fair Lending Update at Wolters Kluwer CRA and Fair Lending Colloquium, virtual presentation, November 2020
- Speaker, COVID-19 Legal Issues Forum: The Pandemic's Impact on Our Election, University of Toledo College of Law, virtual October 2020
- Panel Moderator of government and private officials discussing “Key Takeaways to Share When You Return Home,” Wolters Kluwer CRA & Fair Lending Colloquium, Wolters Kluwer, Orlando, FL, November 2019.
- Speaker, “Fair Lending: Where Are We Now?”, American Financial Services Association (AFSA) Law & Compliance Symposium, Fort Lauderdale, Fl, March 2019.
- Moderator and Speaker, “Fair Lending Litigation, Enforcement and Regulation Update, K&L Gates Consumer Financial Services Symposium, Washington, D.C., December 2018.
- Keynote Speaker, Wolters Kluwer CRA and Fair Lending Colloquium. Presentation titled “Fair Housing Act and the Lending Industry: 51 Years of Enforcement from the Johnson Administration and Beyond,” Hollywood, FL, November 2018.
- Speaker, American Bar Association Business Law Section Annual Meeting, Presentation titled “Feeling Hot or Cooling Off: Fair Lending in 2017 and Beyond.” Chicago, IL, September 2017.
- Speaker, “Fair Lending Hot Topics”, American Bankers Association Regulatory Compliance Conference, Nashville, TN, June 2018.

- Speaker, Government Enforcement and Litigation Trends, 2017 Consumer Financial Services Symposium, Washington, D.C., December 2017.
- Speaker, Major Litigation Update, Mortgage Bankers Association Legal Issues Conference, New Orleans LA, May 2017.

EDUCATION

- J.D., University of Toledo College of Law, 1970
- M.B.A., Xavier University, 1967
- B.S., Xavier University, 1966

ADMISSIONS

- Bar of District of Columbia
- Bar of Florida
- Supreme Court of the United States
- United States Court of Appeals for the Eleventh Circuit
- United States Court of Appeals for the Ninth Circuit
- United States District Court for the District of Columbia
- United States District Court for the Eastern District of Michigan
- United States District Court for the Middle District of Florida
- United States District Court for the Northern District of Florida
- United States District Court for the Southern District of Florida
- United States District Court for the Western District of Tennessee

THOUGHT LEADERSHIP *POWERED BY HUB*

- 14 December 2022, Financial Services Companies Need Top-Down Focus on Compliance with Anti-Discrimination Laws
- 6 September 2022, Banks Take Notice: FDIC Continues Regulatory Scrutiny of Fees Charged to Consumers
- 3 August 2022 , First Settlement With Non-Bank Lender Exemplifies the DOJ's Commitment to Its "Combatting Redlining Initiative"
- 18 April 2022, Emerging Fair Lending Risk: Student Lending

- 26 October 2021, Banks and Non-Banks Beware: New Types of Redlining Claims are on the Horizon
- 24 October 2019, American Bankers Association, Consumer Bankers Association, and Housing Policy Council Joint Comments on HUD's Proposed Rule on the Fair Housing Act's Standard of Disparate Impact
- 24 October 2019, American Bankers Association, Consumer Bankers Association, and Housing Policy Council Joint Comments on HUD's Proposed Rule on the Fair Housing Act's Standard of Disparate Impact
- 2 April 2019, HMDA Reality Check
- 21 August 2018, American Bankers Association Weighs In With a Comment on HUD's Disparate Impact Rule
- 14 February 2017, Trump has Opportunity to Restore Balance in Fair Lending Cases
- 12 September 2016, Inclusive Communities Excluded from Court—Plaintiff Can't Meet Supreme Court Standard for Disparate-Impact Claims under the Fair Housing Act
- 4 August 2016, HUD's Approach to Disparate Impact Remains Under Fire—Lending Trade Associations Weigh In
- 2 May 2016, Not Starry-Eyed: Massachusetts Imposes Rigorous Standard on Fair Housing Disparate Impact Claims in *Burbank Apartments*
- 26 June 2015, The Supreme Court Recognizes but Limits Disparate Impact in its Fair Housing Act Decision

OTHER PUBLICATIONS

- "CFPB and DOJ have badly overreached in the Fairway redlining case," *American Banker*, 4 November 2024
- "Banks Take Notice: Federal Deposit Insurance Corporation Continues Regulatory Scrutiny of Fees Charged to Consumers," *The Banking Law Journal,* January 2023
- "Mortgage Lenders Must Prioritize Anti-Bias Compliance," *Law360*, 8 December 2022
- "First Settlement with Non-Bank Lender Exemplifies DOJ's Commitment to Its 'Combatting Redlining Initiative'," *The Banking Law Journal*, October 2022
- "Recognizing the 50th Anniversary of the Fair Housing Act and its Impact on the Mortgage Lending Industry," *22nd Annual CRA & Fair Lending Colloquium*, 5 November 2018
- "Fair Lending Enforcement in the First 100 Days of the Trump Administration," *Mortgage Compliance Magazine*, May 2017
- "BankThink Trump Has Opportunity to Restore Balance in Fair Lending Cases," *American Banker*, 7 February 2017
- U.S. Supreme Court Impact on Mass. Disparate Impact Claims, *Law360*, May 9, 2016
- Unfair, Deceptive and Abusive Acts and Practices: Understanding the Standards and Avoiding Risk, *K&L Gates Webinar*, November 15, 2012

- Arbitration Nation, *K&L Gates Professional Development Presentation*, November 9, 2012
- Declining Markets: The Next Fair Lending Issue, presented via webinar, March 6, 2008
- NYAG Settlement Focuses on Both Fair Lending and Fairness in Lending, *Mortgage Banking/Consumer Finance Commentary*, December 2006

NEWS & EVENTS

- 18 August 2022, More Than 350 K&L Gates Lawyers Named Among 2023 Best Lawyers in America, Ones to Watch
- 19 August 2021, Nearly 300 K&L Gates Lawyers Named Among 2022 Best Lawyers in America, Ones to Watch
- 9 July 2021, 2021 Consumer Financial Services Symposium - Virtual Edition: Panel 3 - Policy Developments Affecting the Financial Services Sector

OTHER MEDIA MENTIONS

- Quoted, “Manufacturing Fair Lending,” *Mortgage Banker Magazine and National Mortgage Professional*, 10 June 2024
- Mentioned, “Industry Orgs Urge DC Circ. To Ax HUD Disparate Impact Rule,” *Law360*, 9 May 2024
- Mentioned, "Tennessee Bank Will Pay $1.9M To End DOJ's Redlining Suit," *Law360*, 17 January 2024

AREAS OF FOCUS

- Commercial Disputes
- Appellate Litigation
- Class Action Defense
- Financial Institutions and Services Litigation
- Internal Investigations
- Payments, Banking Regulation, and Consumer Financial Services